

determining a measure of reactive power (VAR) in two input lines to the motor during a time period; and

maintaining an SSR (solid state relay) connected in series between the power supply and the motor in a non-conducting state for a subsequent time period, the length of which subsequent time period is determined by analyzing the measure of VAR.

Claim 2 (original): The method of claim 1 further comprising a step of driving the SSR to be conducting after the subsequent time period.

Claim 3 (previously presented): A method to control input to an alternating current (AC) induction motor from a power supply that comprises the steps of::

determining a measure of reactive power (VAR) in at least one input line to the motor during a time period; and

maintaining an SSR (solid state relay) connected in series in said input line between the power supply and the induction motor in a non-conducting state for a subsequent time period, the length of which subsequent time period is determined by analyzing the measure of VAR.

Remarks/Argument

Applicant wishes to thank the Examiner for the reconsideration and withdrawal of the rejection of claims 1-3 under 35 USC 102(b), the arguments earlier submitted deemed to have been persuasive. The claims, however, have now been rejected under the judicially created doctrine of double patenting, and claim 3 has been under 35 USC § 112 for failure to comply with the written description requirement. Both rejections are addressed below.

Accompanying this response is a Terminal Disclaimer being submitted in compliance with the requirements of 37 CFR 1.321(c). It is respectfully submitted that the filing of such disclaimer obviates the double patenting ground of rejection.

Turning next to the rejection of Claim 3 under 35 USC 112, first paragraph, the Examiner has taken the position that the original specification does not support the claim that the reactive power is determined in at least one input line to the motor, the description of the invention limited to determining reactive power in two input lines. In regard to this aspect of the invention, the Examiner's attention is directed to paragraph 0021 of parent application 10/215,698 (now US patent 6, 737,827), where it is stated that the method of the present invention can be used in connection with both three phase and single phase AC induction motors. With the single phase

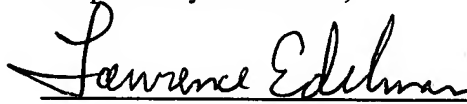
motor, a single phase solid state switch (SSR) is used in place of the three phase SSR. A measure of reactive power is thus determined in but one input line.

The applicability of the invention to both three phase and single phase motors was also earlier described at the next to last paragraph of the specification of application SN 09/832,404, now abandoned, to which both this application and the parent application claim priority. It is respectfully submitted that there is adequate support in both the instant specification, filed as a continuation of application 10/215,698 and the originally filed grandparent application for that element in claim 3 which calls for the determining of VAR in at least one input line.

Accordingly, the rejection of claim 3 under 35 USC 112 should be withdrawn.

In view of the above considerations, Applicant submits that the claims in their present form be deemed in condition for allowance.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Lawrence Edelman", is written over a horizontal line.

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